



THE SECRETARY OF HEALTH, EDUCATION, AND WELFARE
WASHINGTON, D. C. 20201

SEP 25 1978

Executive Registry

78-2765

DD/A Registry

78-3841

The Honorable Stansfield Turner
Director
Central Intelligence Agency
Washington, D.C. 20505

Dear Admiral Turner:

I am enclosing proposed regulations on "Smoking in GSA-Controlled Buildings and Facilities" which the General Services Administration issued in the Federal Register on September 11.

In my opinion, the regulations establish a sensible and reasonable public and public health policy. I urge you to support them. ✓

Several months ago I established very similar regulations for HEW buildings and facilities. They have been well accepted by both smokers and non-smokers. They are not self-enforcing -- I don't know of any personnel regulations which are -- but compliance has become a healthier and better workplace for thousands of employees.

GSA has allowed 30 days for public comment, until October 11. I hope they will hear favorably from your office during this period.

If your staff has any questions, please have them get in touch with John Pinney of my office (443-1575).

Sincerely,

Joseph A. Califano Jr.
Joseph A. Califano, Jr.

Enclosure

GENERAL SERVICES ADMINISTRATION
PUBLIC BUILDINGS SERVICE

[41 CFR Part 101-20]

MANAGEMENT OF BUILDINGS AND GROUNDS

Smoking in GSA-Controlled Buildings and Facilities

AGENCY: Public Buildings Service, General Services Administration.

ACTION: Proposed rule.

SUMMARY: This regulation prohibits smoking in certain areas of buildings controlled by GSA. It has become necessary to regulate smoking in certain areas of Federal buildings because smoke in a confined area may be irritating and annoying to nonsmokers and may create a potential hazard to those suffering from heart and respiratory diseases or allergies.

The intent of this regulation is to provide a reasonably smoke-free environment in certain areas for those working and visiting in GSA-controlled buildings.

DATE: Comments must be received on or before: (Insert date 30 days after publication in the Federal Register).

ADDRESS: Comments should be addressed to the General Services Administration (PBOP), Washington, DC 20405.

FOR FURTHER INFORMATION CONTACT: Mr. Donald Winegarden, Director, Operations Division, Office of Buildings Management, General Services Administration, Washington, DC 20405 (202-566-1563).

SUBPART 101-20.1 BUILDING OPERATIONS, MAINTENANCE, PROTECTION, AND ALTERATIONS

Section 101-20.109-10 is revised to read as follows:

§ 101-20.109-10 Regulation of smoking.

Regulations for controlling smoking in GSA-controlled buildings and facilities are set forth below. Agencies are encouraged to develop additional guidelines for internal use and for taking appropriate administrative action when violations of these regulations occur.

(a) Smoking is prohibited in the following areas:

(1) Auditoriums, classrooms, and conference rooms.

Buildings managers shall ensure that signs and adequate receptacles for smoking refuse are placed outside the entrances to auditoriums, classrooms, and conference rooms.

(2) Elevators. "No smoking" signs shall be posted in elevators, and adequate receptacles shall be placed outside the entrances.

(3) Shuttle vehicles.

(4) Hazardous areas. Each agency shall post and enforce "no smoking" rules in any location under its jurisdiction which involves flammable liquids, flammable gases, or flammable vapors, or in all other locations where there is a collection of readily ignitable, combustible materials.

(b) Smoking is not permitted in libraries except in those non-stack areas that are designated as "smoking" areas. These areas shall be established by the buildings manager in collaboration with the heads of the occupant agencies.

(c) An employee who occupies a private office is authorized to declare that office a "no smoking" area.

(d) "No smoking" areas shall be established in cafeterias. These areas shall be designated as "no smoking" areas by each buildings manager in collaboration with the heads of the occupant agencies. The areas designated shall be based upon an estimate of the number of smoking and nonsmoking patrons served. This may be adjusted on the basis of local experience. The "no smoking" areas shall be identified by appropriate signs.

(e) The establishment of "no smoking" work areas in open space should be thoroughly investigated. Supervisors should plan work space in a manner so that employees who desire a "no smoking" area can be accommodated, provided that: (1) Efficiency of work units will not be impaired, (2) additional space will not be required, and (3) costly alterations to the space or procurement of additional office equipment will not be necessary. Agencies are responsible for ensuring that "no smoking" areas are identified by appropriate signs. In establishing and continuing a smoking policy in work areas under their jurisdiction, supervisors should strive to maintain an equitable balance between the rights of nonsmokers and those of smokers.

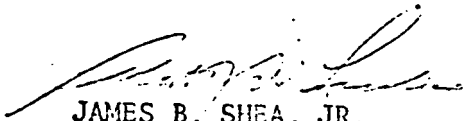
(f) In medical care facilities such as medical clinics and health units, smoking is restricted to visitor waiting areas, staff lounges, private offices, and specially designated areas. Waiting areas shall

be divided into areas designated as "smoking" and "no smoking" whenever possible.

(g) Agencies are responsible for providing adequate noncombustible ash trays or receptacles in locations where smoking is permitted.

[Sec. 205(c), 63 Stat. 390; 40 U.S.C. 486(c)]

Dated: August 25, 1978



JAMES B. SHEA, JR.
Commissioner
Public Buildings Service